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Public (1896) Department.

ORDINARY MS.

G.O., No. 892-3

DATED 19-8-96

INDEXED.

Ordnal

[Despatch Abstract.]

Directing ^{the submission to} the ~~the~~ Secy of the remarks
of this Govt on despatch from the Secy of
State respecting the Paris Sanitary
Convention -

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

India Office,
London, 25th June 1896.

Revenue,
No. 73.

To His Excellency The Right Honourable The Governor General
of India in Council.

MY LORD,

With reference to previous correspondence terminating with my Despatch in this Department, No. 134, dated 5th December 1895, I forward herewith, for the information of your Excellency's Government, and for such observations as you may have to offer, copy of the papers noted in the margin respecting the Paris Sanitary Convention.

I have the honour to be,

My Lord,

Your Lordship's most obedient humble Servant,
(Signed) GEORGE HAMILTON.

ENCLOSURES.

No. 1.

Dear Sir Charles Bernard,

Foreign Office,
29th May 1896.

As no doubt you are aware, the French Foreign Office were anxious when I was in Paris to discuss with me the subject of the Paris Sanitary Convention, and that on all grounds it was thought best that I should not then enter upon such a discussion.

They have now approached Mr. Phipps, who was British Delegate at the Paris Conference, and who is now in Paris.

He sends the enclosed memoranda of his conversation, and I should feel much obliged if you will tell me whether there is anything in it to induce the India Office to reconsider the position they have adopted, as expressed in Lord Salisbury's note to Baron de Courcel of 7th March last.

Yours, &c.,
H. G. BERGNE.

Enclosure 1 in No. 1.

Paris,
25th May 1896.

The diminution of the hospital space was alluded to by him, and I think that the French Government would waive that as a matter of local detail.

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As to the last paragraph of Lord Salisbury's note, M. Cazotti declares that their information from Vienna and Constantinople leads them to believe that Turkey would adhere to the Convention even if Annex 3 were left entirely in abeyance by Her Majesty's Government. At present the Porte, he said, is profiting by the disunion among the Powers created by the British refusal to delay its adhesion, but if once Her Majesty's Government were to ratify the Turkish hesitation would cease.

The most important point is the non-ratification of Article 3 by Her Majesty's Government, which France would admit.

M. Cazotti, however, maintains that though Persia in practice does not impose quarantine, Turkey imposes in cholera time a longer quarantine than Annex 3 contemplates, and denies that a situation of any difficulty would be created by the adherence, under such circumstances, of Turkey and Persia to the Convention.

Up to now the French Foreign Office have kept Drs. Proust and Brouardel quiet, and have prevented their embarking on a newspaper campaign, in order to call attention to the fact that all the valuable Red Sea reforms which could be imposed on the Porte are delayed by the action of the Indian Government, which is based on mere questions of detail. But these two distinguished men regard the Convention as emanating from their initiative, and feel much hurt at their labours being nullified.

E. C. H. PHIPPS.

Enclosure 2 in No. 1.

M. Cazotti, who was Secretary to the Sanitary Conference, asked me to see him privately in my capacity as Delegate at the Conference, in order to speak to me about our ratification excluding Annex 3, which the French Government are most anxious to ensure.

As to the various objections made in Lord Salisbury's note of 7th March, he said as follows:—

In regard to proposal (1), they would be ready to insert in Article 5 of Annexe 1, after the words "Les pèlerins seront tenus," the words "Si les circonstances locales le permettent."

This, he maintains, would leave the Indian Government a free hand, without any change in the new Pilgrim Act, and yet enable the Dutch and French Governments to enforce what they regard as a valuable provision in the interest of their pilgrims.

As to proposal (2), M. Cazotti did not understand the phrase "or in all 18 square feet of space," used in Lord Salisbury's note. He did not seem to recognise that the six feet of upper deck space (the upper deck being kept free for the purpose) increased the space available for each pilgrim. How, he asked, would the upper deck space be thus available when the pilgrimage takes place in late autumn and winter? He believes that the Indian Passengers Acts already accord more than 1½ metres.

I may observe that Article 14 already ensures the freedom of the deck, so that the Indian Government is making no concession.

No. 2.

R. & S. 749.
Dear Sir Henry Bergne,

India Office,
24th June 1896.

I return the sheet of M. Cazotti's letter which you sent with your note of the 23rd May. The papers have been submitted to the Secretary of State in

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Council, and by his desire have now been forwarded to the Government of India for such observations as they may have to offer.

Yours, &c.,

C. E. BERNARD.

Sir Henry Bergne, K.C.B.,
Foreign Office.

No. 3.

Foreign Office,
18th June 1896.

Sir,

With reference to your letter of the 4th of March last, in regard to the French proposals for meeting the reservations subject to which Her Majesty's Government signed the Paris Sanitary Convention of 1894, I am directed by the Marquess of Salisbury to transmit herewith, for the information of the Secretary of State for India in Council, copy of a Despatch to Her Majesty's Ambassador at Vienna, recording a recent conversation with the Austro-Hungarian Ambassador on the subject.

It will be seen that the Austrian Government are disposed to recommend the French Government to meet the views of Her Majesty's Government in regard to the obligation of pilgrims to possess the necessary funds to cover their pilgrimage, and in regard to the application of sanitary regulations in the Persian Gulf; but they hope to induce Her Majesty's Government to yield in the matter of the minimum space to be allotted to each pilgrim on vessels coming to the Hedjaz from India and the Far East.

Count Deym inquired whether Her Majesty's Government intended to maintain the attitude they had adopted on this point, and Lord Salisbury would be glad to learn what answer Lord G. Hamilton, to whom he promised to refer the matter, would wish returned to His Excellency.

I am, &c.,

GEORGE CURZON.

The Under Secretary of State
for India.

Enclosure in No. 3.

No. 16 (Commercial).

Foreign Office,
12th June 1896.

Sir,

The Austro-Hungarian Ambassador called on me to-day and spoke of the differences which had arisen between the Governments who were signatories of the Sanitary Convention signed at Paris on the 3rd of April 1894, in regard to the execution of certain of the provisions of that instrument.

The points upon which Her Majesty's Government had made reservations were, Count Deym reminded me, three in number, and concerned,—

1. The obligation of pilgrims to possess the necessary funds for defraying the whole cost of the pilgrimage.

2. The minimum space to be allotted to each pilgrim on vessels coming to the Hedjaz from India and the Far East.

3. The application, under Annex III, of the Sanitary Regulations to the Persian Gulf.

His Excellency stated that, in the case of the 1st and 3rd reservations, his Government were disposed to recommend the French Government to agree to the proposals of Her Majesty's Government, but that they hoped to induce us to yield to the wishes of France on the second point. With regard to it the French Government proposed that one and a half metres square (sixteen feet) should be substituted for the two metres stipulated for in the Convention as the minimum space to be allowed for each pilgrim.

The Government of India had, however, in their Draft Regulations, assigned to each only twelve square feet of space (between decks).

Count Deym inquired whether it was the intention of Her Majesty's Government to maintain the attitude which they had assumed on this point, and I promised to consult the Secretary of State for India on the subject.

I am, &c.,

SALISBURY.

His Excellency

The Right Hon. Sir E. Monson, G.C.M.G., C.B.,

&c., &c., &c.

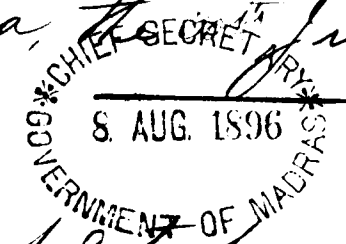
No. 188

From,

C. H. Hill, Esquire,
Under Secretary to the Govt. of India,
To,
The Chief Secretary to the Govt.
of Madras.

Home Department
Sanitary

Simla, 8th July 1896.



Sir,

I am directed to forward, a copy of a Despatch No. 73 (Revenue) dated the 25th June 1896 (and enclosures) from Her Majesty's Secretary of State for India respecting the Paris & Sanitary Convention and to request that the Government of India may be favoured with any observations which His Excellency the Governor in Council may desire to offer upon the points discussed therein.

2. I am to ask that a reply to this letter may be submitted by the end of August 1896 at the very latest.

I have the honour to be,
Sir,

Your most obedient servant

C. Hill

Under Secy. to the Govt. of India

Public Dept.

From the Govt. of India
Home Dept.

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C No. 188

Date 30-7-96

Recd } 8th August '96
Regd }

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Subject

Forwarding despatch from
the Secretary of State respecting
the Paris Sanitary Convention
and requesting to be favoured
with the observations of this Govt.,
any, upon the points discussed
therein.

FOR ORDERS.

India forwards copy of a despatch
with enclosures, from Her Majesty's Secy of
State for India, respecting the Paris
Sanitary Conference, with the request
that any observations, which this Govt
may wish to offer, may be submitted
by the end of the current month at the
very latest.

On page 17 of the Convention
flagged A it is stated that (although
signing it) the British Govt was not pre-
pared to accept the provisions enu-
merated in

1. Para 5 of §(A) of Annexure I re-
garding the obligation of pilgrims to provide
the necessary funds for defraying the whole
cost of the pilgrimage.
2. Article 13 (§ III) of the rule in Annexure II
relating to the minimum space to be allotted
to each pilgrim on vessels coming to India
to the Hedjaz from India & the Far East.

3 Annexure III of the Convention regarding the Sanitary Regulations in the Persian Gulf.

As to the first reservation it was decided in 1894 that, altho in the Netherlands India the Mahomedan population have a special religious law of their own forbidding paupers to go, yet as pilgrimage to Mecca is one of the five duties incumbent on every good Mahomedan, the Govt of India wd be indirectly interfering with their religious liberty, if it prohibited paupers from making the pilgrimage. Great Britain $\therefore$ voted against the measure.

From the correspondence it wd appear that the Fr. Govt is prepared to insert in art 5 of Annexure after the words "des pelerins seront tenus", the words "Si les circonstances locales le permettent". This it is agreed wd leave the Indian Govt a free hand, without any change in the new Pilgrim Act, & yet enable the Dutch & French Govts to enforce what they regard as a valuable provision in the interests of their pilgrims.

The next reservation relates to

FOR ORDERS.

H. E. THE GOVERNOR.

THE HON'BLE MR. H. W. BLISS, C.I.E.

THE HON'BLE MR. J. GROSE, C.I.E.

* vide p 2 of Lt of S's despatch
No 73 dated 25th June 1896.
(marked red tape.)

There seems to be no harm in this

to the minimum space to be allotted to each pilgrim, viz, two sq metres superficial space on the floor & deck with a height between decks of 1 metre 25 centimetres for each individual irrespective of age. As remarked by Sir Alfred Cunningham, the delegate for British India for 1894, increase of space is doubtless a good sanitary measure. If the matter could be settled by any considerations alone, the two sq metres might be at once agreed to. But to double the space wd practically mean to double the passage money. This wd prevent many from going thus indirectly interfere with religious liberty. The British delegate is doubtful that there are sufficient sanitary grounds for such an enormous increase of space while there were serious objections of a general character against it. The recommendation to increase the space to 1 1/2 sq metres was not accepted by Great Britain & remained by vote.

In para vii of letter No 96 dated 27. 11. 94 this Govt remarked that each adult pilgrim shd have a minimum of 12 superficial ft and 72 cubic feet of space.

On page 2 of the Enclosure to the present current we read "M. Carotte did not understand the phrase 'or in all 18 sq ft of space' used in the

* vide p 10

11

* marked with red tape & blue pen

Salisbury's note. He did not seem to recognize that the six ft. of upper deck space (the upper deck being kept free for the purpose) increased the space available for each pilgrim. How, he asked, with the upper deck space being thus available when the pilgrim takes place in late autumn & winter? He believed that the Indian Passengers' Acts already accord more than 14 inches." ^{art. 14} already ensure the freedom of the deck, so that the Indian port is making no concession.

The Fr. port hopes to induce the British port to yield on this point and to increase the space to 14 inches or 16 ft as the minimum.

With ref. to this please see Cunningham's remarks on page 9 of page (B) of the Enclosure to Sir Henry Forster's despatch of 1894. It is there stated that the British Delegation agreed to recommend an increase to sixteen sq ft and 9 inches. On this point it is submitted that the Protector of Emigrants and

(instead of the 12 sq. ft. recommended by this Govt.)

It is submitted that no refuge need be made. The Protector previously recommended 12 sq. ft. & Govt. adopted it. The question now is, does Govt agree to extend that to 16' 9" sq. This Govt. is not interested in pilgrim sleep & only in a few pilgrims - the increase of space wd. mean increase of passage money - but please vide infra.

and the B.P. Ashd be consulted. India however requests a reply by the end of this month.

As to the third question of the application under Annex III of the Sanitary Regulations to the Persian Gulf, it will be seen from page 34 of the enclosure to the current that the Austrian Govt. is prepared to advise the British Govt. to meet the views of the Majesty's Govt on the matter.

Ref. of 11th Dec. 1894. In his despatch of 24th Sept. C. has remarked that dealing with the protection of the Persian Gulf is one in which India is largely interested. In Commission a number of points of observation were decided on & the creation of a lararet at Fas. D. Cunningham & Thorne voted in favour of the former with understanding that they should meet be such port health establishments as exist in England but that Britain reserved its vote on the whole question. Austria Hungary's proposal to create an International

Sanitary Board at Teheran
was vetoed by the Conference.

This is a matter however
with which, it is submitted
the Madras Govt has
no direct concern.

The Paris Sanitary Convention

Home Office

MS

India asks for any
remarks this Govt may
desire to offer upon the
points discussed. It is
submitted that it will be suffi-
cient to confine any remarks
to the question of the increase
of space. At present, space is
regulated by § 19 of Act XIV
of 1895, and in the draft rules
published by India under
that Act in May last (page
336. Gaz. of India of 16. v. 96,
copy not now available) it is
ordered that every pilgrim
ship shall contain in the
first or upper between-deck
at least 12 superficial feet and
72 cubic feet, and in the
second or lower between-deck,
at least sixteen superficial
feet & ninety six cubic feet
of space available for each
pilgrim. Provision is also
made for six superficial feet
on the upper deck for every
pilgrim carried on either of
the between decks.

It is submitted that the
provision made by the rules
is ample.

30B

12.8.6.

12/8/96

1. Hon Mr. H. W. Bliss C.R.
2. Hon Mr. J. Grose C.R.
3. H. E. the Governor

G.
24.
1,000-15-11-95.

Papers to be read in proceedings:-

Again G.O., dated 27th November 1894, No. 895-96 Public

Again G.O., dated 189 , No.

Current No. 2588 of 1896, dated 30th July, from the Govt of India, Home Dept.

" " " 189 , " " "
" " " 189 , " " "

ORDER. N^o. 892 of 19th August 1896.

The following letter will
be addressed to the Govt. of
India.

N^o. 893 of 19th August 96
Letter to

The Secy to the Govt of India,
Home Dept.

(Sany)
Sir,

I am directed to acknow-
ledge the receipt of Mr. Hill's
letter N^o 188 of the 30th ult.,
forwarding, for such remarks
as this Govt. may desire to
make, a copy of a despatch
from Her Majesty's Secy of
State for India respecting
the Paris Sanitary Con-
vention.

2 In reply I am to state

in ref. to the first of the three points
~~the same~~ alluded to, that H.E. the
Governor in Council sees no
objection to the obligation im-
posed on pilgrims in para 5,
§ 19 of Annexure I to the Con-
vention, if the proposed
addition mentioned by
Mr. Casotti be made; and
in regard to the last of them,
viz, the application under
Annexure III of the Sanitary
Regulations to the Persian
Gulf, that the question is
one with which this Govt
has no concern, whatever.

3. As to the minimum
space to be allotted to each
pilgrim, Mr. Casotti has
~~the honor to state in his report~~
~~that the minimum space to be~~
~~allotted to each pilgrim is~~
~~the same as the minimum space~~
~~allotted to each pilgrim in the~~
draft rules I am to say that at
present, ^{this} ~~space~~ is regulated
by § 19 of the Pilgrim Ships
Act, XIV of 1895, and ~~that~~
in the draft rules published
by the Govt of India under this
Act in May last, (p. 336 of
India L/16. v. 96) it is ^{observed} ~~stated~~
the intention is that

FROM ORDERS.

C. S.

that every ^{pilgrim} ship shall
contain in the first or
upper between decks at
least 12 superficial feet
and 72 cubic feet, and
in the second or lower
between-deck, at least
16 superficial feet and
96 cubic feet of space
~~available~~ for each
pilgrim. Provision is
also made for six
superficial feet on
the upper deck for every
pilgrim carried on
either of the between
decks. H.E. the Governor
in Council is of opinion
that the provision made
in the above mentioned
rules is ample.

C.W.
14.8.96

(from orders)

20
15/8/96

J.D.B.
15.8.96

The Paris Sanitary Convention

from orders

C.S.
mis

Draft of letter to the C. & J.
on a matter other than
containing 10
1578

When given for copying _____
When copied _____
When examined _____
When signed _____ } 189

READ AGAIN G.O., No. _____ DATED
189 ,

CURRENT No. _____

ENCLOSURES TO C. No. _____

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILLED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

- A = Copy in full.
- B = Not to be copied
- P = Copy abstract only.
- Q = Copy heading only